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STATE OF NEVADA



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

September 23, 2015

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, September 23, 2015, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Noah Allison, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. David Brown, Esq.

Mr. Rozario stated the agenda was posted in compliance with the open meeting law on September 17, 2015, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: Noah Allison, Esq.

1. DISCIPLINARY HEARING: (Continued from July 22, 2015 and August 19, 2015)

7 STAR ENTERPRISE, LLC, License Nos. 75317, 76856, 77119

Licensee was present and represented by Donna DiMaggio, Esq. at the hearing.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; two (2) violations of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$500.00 each of the First and Fourth Causes of Action; a fine of \$250.00 each for the Second and Third Causes of Action for total fines of \$1,500.00 and investigative costs of \$3,720.00. All fines and investigative costs are to be paid within ninety (90) days of the September 23, 2015 hearing. A current financial statement that supports the license limits is to be provided and a compliant licensing bond shall be in place within ninety (90) days of the September 23, 2015 hearing. The Board will lower the license limit on license number 75317 to \$200,000.00 and on license number 77119 to \$100,000.00 if the financial statement provided supports these license limits. The Board will accept the voluntary surrender of license number 76856. Failure to comply with the Board's Decision and Order shall result in the revocation of

2. DISCIPLINARY HEARING: (Continued from August 19, 2015)

ROD ARRON KOPREK, OWNER, dba ROD KOPREK ROOFING, License No. 50820

Licensee was present but not represented by counsel at the hearing.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board. Respondent was assessed a fine of \$100.00 for the Second Cause of Action and investigative costs of \$250.00. Fines and investigative costs are to be paid within thirty (30) days of the September 23, 2015 hearing or license number 50820, Rod Arron Koprek, Owner, dba Rod Koprek Roofing shall be suspended. The Board accepted Respondent's license bond dated July 1, 2015.

3. DISCIPLINARY HEARING: (Continued from August 19, 2015)

ROAD WORK AHEAD, INC., License No. 73883

Licensee was present and represented by Christopher Benner, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board. Respondent was assessed a fine of \$500.00 each for the First and Second Causes of Action for total fines of \$1,000.00 and investigative costs of \$1,500.00. Respondent's license shall remain suspended until a current financial statement with bank verification forms for all cash accounts that supports the license limit is provided along with a new licensing bond. All fines and investigative costs are to be paid, a current financial statement and a new licensing bond provided within ninety (90) days of the September 23, 2015 hearing or license number 73883, Road Work Ahead, Inc. shall be revoked.

4. DISCIPLINARY HEARING:

COMPLETE BATH REMODELING OF LAS VEGAS, LLC, dba 5 DAY KITCHENS OF LAS VEGAS,
License No. 78859

COMPLETE BATH REMODELING OF LAS VEGAS, LLC, dba RE-BATH OF LAS VEGAS, License
Nos. 57471, 57470, 69348

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's documents provided to the Board.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.301(5) failure to comply with the terms of a construction contract; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of this State; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or

partner of licensee. The Second, Third and Sixth Causes of Action were dismissed. Respondent was assessed a fine of \$1,000.00 each for the First and Fifth Causes of Action; a fine of \$500.00 for the Fourth Cause of Action for total fines of \$2,500.00 and investigative costs of \$2,523.00. Respondent shall credit the Cowlshaws \$3,700.00 and pay restitution of \$2,800.00 within thirty (30) days of the September 23, 2015 hearing. Respondent shall provide a current bank verification form showing cash in the bank that will support the license limits within thirty (30) days of the September 23, 2015 hearing. All fines and investigative costs are to be paid within ninety (90) days of the September 23, 2015 hearing. Failure to comply with the Board's Decision and Order shall result in the suspension of license number 78859, Complete Bath Remodeling of Las Vegas, LLC, dba 5 Day Kitchens of Las Vegas and license numbers 57470, 57471 and 69348, Complete Bath Remodeling of Las Vegas, LLC, dba Re-Bath of Las Vegas shall be suspended. This matter is to be set for a status check in thirty (30) days.

5. DISCIPLINARY HEARING:

CHARLES RICHARD BARBER, OWNER, dba CENTRAIR ELECTRIC, License No. 13015

DAWSON ENTERPRISES, dba SONITROL OF SOUTHERN NEVADA, License No. 34405

Licensee Charles Barber was present and was represented by Brian Pezzillo, Esq. at the hearing.

Licensee Joyce Dawson was not present nor represented by Christopher McCullough, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Allison found Respondent Centrair Electric guilty of one (1) violation of NRS 624.3014(2)(a), (b), (c) and (d) aiding or abetting, combining or conspiring with, allowing a license to be used by and acting as agent, partner or associate of an unlicensed person. The Second and Third Causes of Action were dismissed. Respondent Centrair Electric was assessed a fine of \$3,000.00 for the First Cause of Action and investigative costs of \$1,850.00. All fines and investigative costs are to be paid within sixty (60) days of the September 23, 2015 hearing or license number 13015, Charles Richard Barber, Owner, dba Centrair Electric shall be revoked. Dawson Enterprises, dba Sonitrol of Southern Nevada, license number 34405 was dismissed from the Board's Complaint.

6. DISCIPLINARY HEARING: (Stipulated Revocation)

MICHAEL CHARLES MITCHELL, OWNER, dba OMNIBUILT, License No. 59025

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's correspondence to the Board dated September 3, 2015.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3017(3) advertising projects of construction beyond the scope of the license; and one (1) violation of NRS 624.3017(2) advertising projects of construction without including the name and license number of the licensed contractor who is responsible for the construction. The Third Cause of Action was dismissed. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of

\$250.00 each for the Second and Fourth Cause of Action; a fine of \$100.00 for the Fifth Cause of Action for total fines of \$1,100.00 and investigative costs of \$2,200.00. License number 59025, Michael Charles Mitchell, Owner, dba Omnibuilt was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

7. DISCIPLINARY HEARINGS: DEFAULT ORDERS

a. CUSTOM TILE AND STONE, INC., dba POUNDERS CUSTOM FLOORS, License No. 62184

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Custom Tile and Stone, Inc., dba Pounders Custom Floors, license number 62184 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; two (2) violations of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3012(4) failure to obtain the discharge of any lien recorded against the property to be improved by a construction project within 75 days after the recording of the lien; and one (1) violation of NRS 624.302(7) failure to comply with an order of the Board. Respondent was assessed a fine of \$500.00 each for the First, Fourth, Fifth Sixth, Eighth and Ninth Causes of Action; a fine of \$250.00 each for the Second and Third Causes of Action; a fine of \$1,000.00 for the Seventh Cause of Action for total fines of \$4,500.00 and investigative costs of \$2,086.00. License number 62484, Custom Tile and Stone, Inc., dba Pounders Custom Floors was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

b. DECI GROUP, LLC, dba DECI GROUP, License No. 79037

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A –

ALJ Allison found Respondent Deci Group, LLC, dba Deci Group, license number 79037 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.302(7) failure to comply with an order of the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 each for the First, Second and Third Causes of Action for total fines of \$1,500.00 and investigative costs of \$1,481.00. License number 79037, Deci Group, LLC, dba Deci Group was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of

future licensure.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 9:13 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Noah Allison, Esq., Administrative Law Judge